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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
JUAN PICASO,  
  
Defendant.

CASE NO. 2:22-CR-00162-JAM  
  
STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
FINDINGS AND ORDER  
  
DATE: January 24, 2023  
TIME: 9:00 a.m.  
COURT: Hon. John A. Mendez

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on January 24, 2023.
2. By this stipulation, defendant now moves to continue the status conference until March 28, 2023, at 9:00 a.m., and to exclude time between January 24, 2023, and March 28, 2023, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
  - a) The government has represented that the discovery associated with this case includes multiple reports, dozens of Spanish recordings, and photographs. The government produced initial discovery on September 30, 2022, and after obtaining a protective order, produced the Spanish recordings on October 19, 2022.

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2 b) Counsel for defendant desires additional time to review the new discovery, meet  
3 with his client, conduct independent factual investigation, and otherwise prepare for trial.

4 c) Counsel for defendant believes that failure to grant the above-requested  
5 continuance would deny him the reasonable time necessary for effective preparation, taking into  
6 account the exercise of due diligence.

7 d) The government does not object to the continuance.

8 e) Based on the above-stated findings, the ends of justice served by continuing the  
9 case as requested outweigh the interest of the public and the defendant in a trial within the  
10 original date prescribed by the Speedy Trial Act.

11 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
12 et seq., within which trial must commence, the time period of January 24, 2023 to March 28,  
13 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code  
14 T4] because it results from a continuance granted by the Court at defendant's request on the basis  
15 of the Court's finding that the ends of justice served by taking such action outweigh the best  
16 interest of the public and the defendant in a speedy trial.

17 [CONTINUED ON NEXT PAGE]

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: January 20, 2023

PHILLIP A. TALBERT  
United States Attorney

/s/ CAMERON L. DESMOND  
CAMERON L. DESMOND  
Assistant United States Attorney

Dated: January 20, 2023

/s/ Timote Tuitavuki  
Timote Tuitavuki  
Counsel for Defendant  
JUAN PICASO

### FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED this 20<sup>th</sup> day of January, 2023.

/s/ John A. Mendez  
THE HONORABLE JOHN A. MENDEZ  
SENIOR UNITED STATES DISTRICT JUDGE